

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 14, 2016**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commission At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Karen Keys-Gamarra, Sully District

ABSENT: Janyce N. Hedetniemi, Commissioner At Large
Kenneth A. Lawrence, Providence District
Julie M. Strandlie, Mason District

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The meeting was called to order at 8:18 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy announced that the Land Use Process Review Committee will meet at 7 p.m. in the Board Conference Room of the Fairfax County Government Center on Thursday, September 15, 2016, to discuss Fairfax Forward.

Commissioner Sargeant announced that the Schools Committee met to consider language and a draft of the Schools Policy Plan Text. He said the Committee voted unanimously to endorse the language, as revised, and there would be a final vote before the Planning Commission on September 29, 2016, noting that the record was open for comments.

Chairman Murphy announced that the Planning Commission's 2016 Report of Activities was distributed tonight and commended staff for their work on the report.

Secretary Hart announced that John W. Cooper, Clerk to the Planning Commission, would be distributing minutes at tomorrow night's meeting, September 15, 2016, and requested the Commission to review and submit corrections by September 29, 2016. He noted that the Commission would vote on these minutes at the October 6, 2016, meeting.

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PCA B-846-03/PRC-B-846-04/DPA-HM-117-02 – RP 11720, LLC (Decision Only)
(The public hearing on this application was held on 7/28/16)

(Start Verbatim Transcript)

Commissioner de la Fe: Thank you, Mr. Chairman. On July 28th, 2016, the Planning Commission held a public hearing on RP 11720, LLC, to permit an amendment to the development plan proffers and approve a PRC plan to permit the construction of 54 single family attached dwelling units. The Planning Commission had a couple of issues that were raised at that point and that's why we deferred the decision. One had to do with where folks would, you know, delivery of folks with pizzas and things like that would be and the plan has been revised and the applicant has identified a place where such delivery, you know, delivery vehicles could be parked while making, you know, delivery. There – there was a – an issue *with the* Transportation Demand Management and the applicant has revised the proffers to provide their commitment that they would work with adjoining properties as they come in, in the future to establish a, you know, a participate in a Transportation Demand Management Program. And the Planning Commission also asked for a disclosure, change in the disclosure proffers relating to garage dimensions and that has been addressed. And the applicant amended the proffers to clarify the provision of the inter-parcel to the west; therefore, Mr. Chairman, I would, not it, I WOULD MOVE, no - before that could the applicant's representative please come forward?

Lori Greenlief, McGuireWoods LLP, Applicant's agent: Good evening, my name is Lori Greenlief representing the applicant.

Commissioner de la Fe: Thank you very much. Ms. Greenlief, does the applicant confirm for the record agreement to the proposed development conditions dated August 29th, 2016?

Ms. Greenlief: I was just told by staff that the correct date is September 6th?

Commissioner de la Fe: Oh, okay, it would be September 6th then.

Ms. Greenlief: And yes.

Commissioner de la Fe: Okay, thank you very much. That September 6th is the date of the addendum that we all received that covered these changes, thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF DPA HM-117-02, TO AMEND THE EXISTING DEVELOPMENT PLAN DP 117, APPROVED FOR A CONVENTION OR CONFERENCE CENTER FOR OFFICE TO PERMIT MEDIUM DENSITY RESIDENTIAL.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? Yes, Mr. Migliaccio?

Commissioner Migliaccio: Mr. Chairman, I was not present for the public hearing but I did watch it on - on the video and I will be voting this evening.

Chairman Murphy: Yes, Ms. Hurley?

Commissioner Hurley: Thank you, Mr. Chairman. I am still uncomfortable with the narrow garages, as I am on all of these plans, and to be consistent I will not vote for it but I will abstain.

Chairman Murphy: Okay, thank you very much. Further discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve DPA HM-117-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hurley abstains. Mr. Hart abstains.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA B-846-03, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED, is it also September 6th?

William Mayland, Zoning Evaluation Division, Department of Planning and Zoning: That would be – it is still August 26th for the proffers.

Commissioner de la Fe: Okay, FOR THE PROFFERS...

Mr. Mayland: Correct.

Commissioner de la Fe: ...IT WOULD BE THE DATE OF AUGUST 26TH, or twenty - 29th?

Mr. Mayland: 26TH for the proffers.

Commissioner de la Fe: 2016.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve DPA HM-1, oh – I did that one, PRC B-846-04, say aye.

Commissioner de la Fe: No, no. I had moved that, you had the original one correct...

Commissioner Hart: The second motion was the DPA.

Commissioner de la Fe: ...the second one, it was a PCA B-8...

Chairman Murphy: I'm sorry, PCA B-846-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Hart: Abstain.

Chairman Murphy: All right. No, you don't abstain? Okay.

Commissioner Hurley: And I abstain.

Chairman Murphy: Mr. Hart abstains.

Commissioner Hurley: And I abstain.

Chairman Murphy: Okay.

Commissioner de la Fe: Okay, and so does – okay.

Commissioner Flanagan: Ms. Hurley abstains as well.

Commissioner Hurley: Yes, I abstain.

Chairman Murphy: Oh, Ms. Hurley abstains, okay. I thought you...go ahead.

Commissioner de la Fe: Okay, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PRC B-846-04, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED SEPTEMBER 6TH.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PRC B-846-04, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hurley abstains and Mr. Hart abstains.

Commissioner de la Fe: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF PARAGRAPH 2 OF SECTION 6-107 OF THE ZONING ORDINANCE, WHICH REQUIRES A 200 SQUARE FOOT MINIMUM PRIVACY YARD AREA FOR SINGLE FAMILY ATTACHED DWELLINGS AND APPROVAL OF A WAIVER OF THE TREE

PRESERVATION REQUIREMENT FROM SECTION 12-0508.3 OF THE PUBLIC FACILITIES MANUAL.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Thank you.

Chairman Murphy: Mr. Hart abstains. Ms. Hurley abstains, same abstentions.

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The motions carried by a vote of 7-0-2. Commissioners Hart and Hurley abstained from the vote. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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PA 2016-III-T1 – SHIRLEY GATE ROAD EXTENSION

(Start Verbatim Transcript)

Chairman Murphy: Before I call on Mr. Ulfelder, there is an application scheduled for this evening in the Springfield District. It's PA 2016-III-T1, which is the extension of Shirley Gate Road. I'd like to MOVE THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON THIS APPLICATION INDEFINITELY.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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2232-D16-28 – SCHOOL BOARD OF THE CITY OF FALLS CHURCH (Decision Only)
(The public hearing on this application was held on July 21, 2016.)

(Start Verbatim Transcript)

Commissioner Ulfelder: Before we move toward a motion, after the – we had the public hearing on July 21st and on the 28th we further deferred the decision on the Mount Daniel Elementary School 2232. And some addition information had been submitted and I wanted to make sure that all of the Commissioners that had an opportunity to see that. There was an addendum to the original traffic study, a second memo from the County Department of Transportation for reviewing that addendum and there was a letter from the attorney for the applicants concerning commitments and how those commitments might be maintained going forward so that there is certainty as to what is going to – what would occur on this property if we – if we agree with staff's recommendation. And so I just wanted to see, I have no questions, but I wanted to see if any of the Commissioners may have any questions. We have staff here from DOT and the staff that analyzed this application and before I begin I just wanted to see if anyone has any questions.

Chairman Murphy: Ms. Hurley.

Commissioner Hurley: Thank you, Mr. Chairman. For the transportation, I'm still unclear on why an alternate path that's right-in only will not work. I read the analysis with something about you'd have to change the intersection or add a turn lane or something. I'm just looking for more details on why a right lane in, circle around the school and then exit via the existing road, which would cut the amount of traffic on the existing road and make it one way out. Could I have somebody from Transportation explain why that would not work?

Kristin Calkins, Transportation Planner, Department of Transportation: Kirstin Calkins, Department of Transportation. We haven't investigated that in detail, the information that the Wells memo addressed were the two other access points that had been asked about at the previous Planning Commission hearing. From a grade and amount of coverage that would be associated with that, I think it might be difficult for the school to accommodate a right-in from Mount – from North Highland and then circle around the school to connect to the existing parking lot. It would require a decent amount of re-sloping and grading of the sight; however, we have not investigated that and that was not an option in the review of the memo provided by Wells.

Chairman Murphy: Okay, anyone else?

Commissioner Sargeant: Mr. Chairman?

Chairman Murphy: Mr. Sargeant.

Commissioner Sargeant: Quick question, just as – as a form of summary of what you’ve detailed analysis, in terms of traffic and other issues, but I’m wondering if we get a brief summary of what actions, if any, have been initiated following the public hearing in terms of traffic mitigation, off-site parking. I see the study it would be helpful, I think, if we could see a summary of additional actions, if any, that have been taken to address the issues.

Chairman Murphy: Before we – do we go on verbatim? We’re on verbatim. The reader’s digest version would be appreciated.

Commissioner Ulfelder: Well, I think that the September 13th letter from Mr. McGranahan discusses the points as to the commit – some of the commitments concerning traffic management. Specifically, he is talking about the, about. I think it’s a two part answer. I think the Wells study and the Wells addendum show that there will not significant traffic problems on North Oak as a general rule at the proposed new daily enrollment of not exceeding 660 students. And then I think that you combine that with the fact that they are building and expanding the parking lot and, as part of that, are building an area for better queuing of buses and separate kiss-and-ride drop off for private vehicles as well. And they are agreeing to – they are committing to certain hours for – for the school operations, which put them in a slightly different place in relation to rush hour traffic, both in the p.m. and in the – in the a.m. and the p.m. They are going to be make – they - they’ve offered a commitment concerning parents on the number of students who will be arriving by buses and when parents do come for school-related appointment or whatever they will have to park or they should be parking on the school grounds, not on North Oak. There are a number of these that are sort of listed in the letter and they are also actually part of the – the material that was submitted as part of the overall plan for the 2232. The plan goes into great detail, far more than we usually get with a 2232, as to what commitments the city and the school board are willing to make in connection with the operation of the school on this site.

Commissioner Sargeant: Thank you Mr. Chairman.

Chairman Murphy: Mr. Ulfelder.

Commissioner Ulfelder: Okay, thank you Mr. Chairman. As I mentioned, on July 21st we held a public hearing on the Falls Church City Public School Board’s latest proposal to renovate and expand the Mount Daniel Elementary School which is a city school located in Fairfax County. On July 28th, I moved that we defer the decision to this evening to give us time to consider all of the information and testimony presented at the hearing. As well as to address the questions and issues raised by members of the Planning Commission and the speakers. Since the public hearing the applicant has submitted additional material concerning the possible impacts of the proposed expansion of up to 660 students, a further reduction from the 742 originally requested with the current application, as well as information about any additional access route to the school. In addition, the applicant has submitted a letter indicating its strong and enforceable commitment to limit the scope of requested approval under 2232 and to include in that scope certain terms including traffic management measures. As the Commissioners are aware, the applicant has traveled a long road to get to this evenings decision. Indeed a similar application to expand Mount Daniel came before us last year – from my view, the applicant has materially improved its

proposal. Most significantly, the applicant reduced its proposed capacity from 792 students in last year's application to 742 students in the current application, with a further reduction to 660 students. These reductions were based, in part, on a traffic analysis completed for the applicant by Wells and Associates, supplemented by an addendum based on the further reduction to 660 students, looking at the possible impacts of the proposed expansion on the surrounding area as well as North Oak Street, the sole access road for the school. The applicant also reduced the maximum building height from 60 feet to 41 feet and reduced the overall FAR from 0.29 to 0.25. While reducing its overall intensity from the previous application, the applicant has still committed to provide a 105 parking spaces at the school in an effort to minimize any need for school personnel or visitors to park on North Oak Street. I commend the applicant for its efforts to address many of the concerns raised last year. To put the application in perspective, Mount Daniel has been in the present location since 1952. While the surrounding area and the school have grown, the school has maintained mature trees and considerable vegetation that serve as a buffer between itself and the nearby homes. The applicant has committed to maintain this vegetation to the greatest extent possible, which is in keeping with Plan guidance. To recap some of the essential features of this proposal, the current school enrollment is around 348 students, although that number has been as high as 421. The school is served by a 44,118 square-foot building and two trailers. The application now proposes to add an additional 35,720 gross square feet to the structure with up to three stories in one portion of the building and a maximum building height of 41 feet. If approved, the expansion would increase the floor area ratio on the site from 0.14 to 0.25. Staff points out that under the Zoning Ordinance, a public school in the R-4 District could be up to 60 feet in height with a 0.35 FAR, although it is doubtful that they could achieve that maximum on this site. The applicant has committed to remove the existing trailers once construction is complete and it will prohibit installation of any future trailers. The existing parking lot will be redesigned and expanded from 64 spaces to 105 spaces, with improved circulation to allow for a kiss-and-ride drop off area, increased on-site vehicle stacking capacity and separate bus and vehicle travel ways. The Commission is charged with determining whether the location, character and extent of the applicant's proposal are substantially in accord with the Comprehensive Plan. Staff prepared a thorough report recommending approval and I agree with staff's recommendation. I won't restate everything set out in the report, but I will briefly address the reasons I believe that this application conforms to the Plan. As to location, the analysis is fairly straightforward in that the school has existed at this location since 1952. The school particularly satisfies Plan guidance to site elementary schools in or on the periphery of residential areas. Likewise, as to character, the Comprehensive Plan depicts a school at this location and indeed the Plan encourages locating students in residential districts as long as any adverse impacts can be appropriately mitigated. The applicant has included great detail on its plan and in its application, far beyond that typically included in 2232 application, much of which is intended to mitigate the impact of the proposed expansion. It is, of course, the extent of the proposed expansion that is mainly at issue this evening. In determining the extent of the proposed facility - whether the extent of the proposed facility is substantially in accord with the terms of the Comprehensive Plan, I reviewed the provisions cited in the staff report. Objectives 2 and 3 of the Public Facilities Section of the Policy Element of the Comprehensive Plan are directed at maintaining facilities in accord with expected levels of service objectives and balancing the provision of public facilities with growth and development. As a result of recent and anticipated growth in the number of students and the need for additional capacity, the applicant is seeking to expand this public facility to help meet that need. At the same time, to mitigate impacts on the

adjacent neighborhood, as directed by Objective 4, the applicant reduced this proposed expansion in order to mitigate traffic impacts on the neighborhood. The applicant has also committed to providing four specific management measures to help minimize the traffic impact on the North Oak Street residents. To further mitigate any visual impacts, the proposed expansion would raise the building's height to only 41 feet, which is only 6 feet higher than some of the neighboring houses. And even this increase would only be to a portion of the building, the rest would remain at its current height. I also reviewed Objective 10, which encourages full utilization of existing student facilities whenever possible and reasonable, to support educational and community objectives. Even though this is a public school of a neighboring jurisdiction, it is still a public school and has been deemed a public use. In considering the educational needs of the city's growing student population, the city must provide a place for each child from the jurisdiction. Expanding the existing Mount Daniel Elementary School is certainly one way to fully utilize the facility and meet the city's legal obligation. More specifically, Objective 10, policy a, states that schools should build additions appropriate to minimize the need for new facilities and that is exactly what the Falls Church City School Board proposes to do. We also heard testimony from the chairman of the city school board, the mayor, and Mount Daniels principal, in addition to the applicant's attorney, all of whom committed on the record to abide by and enforce the detailed limitations in the application. Therefore, given the detailed application, the plan notes, the express commitments made on the record, my review of the Plan and the recommendation of staff I MOVE THAT THE PLANNING COMMISSION FIND THAT THE LOCATION, CHARACTER AND EXTENT OF 2232-D16-28, TO BE IN SUBSTANTIAL ACCORD WITH THE ADOPTED COMPREHENSIVE PLAN BASED ON THE FOLLOWING GROUNDS:

FIRST, BASED ON THE APPLICANT'S EXPRESSED COMMITMENTS TO THE FOLLOWING LIMITED SCOPE, AS REFLECTED IN THE SEPTEMBER 13TH, 2016, LETTER FROM THE APPLICANT'S COUNSEL SUBMITTED FOR RECORD:

1. MOUNT DANIEL ELEMENTARY SCHOOL WILL BE LIMITED TO A MAXIMUM CAPACITY OF 660 STUDENTS;
2. AFTER EXPANSION, THE SCHOOL WILL BE APPROXIMATELY 79,491 SQUARE FEET AND THE APPLICANT HAS AGREED NOT TO INITIATE ANY REDUCTIONS IN LAND AREA;
3. THE SCHOOL WILL BE LIMITED TO A MAXIMUM HEIGHT OF 41 FEET AND WILL PROVIDE 105 PARKING SPACES IN THE REDESIGNED AND EXPANDED PARKING AREA; AND
4. THE SCHOOL WILL REMOVE ALL EXISTING TRAILERS FROM THE PROPERTY ONCE CONSTRUCTION HAS BEEN COMPLETED AND WILL THEREAFTER PROHIBIT ANY TRAILERS, MODULARS OR THE LIKE FROM BEING PLACED ON THE PROPERTY.

FURTHER, BASED ON THE APPLICANT'S COMMITMENTS TO FULLY IMPLEMENTING THE FOLLOWING FOUR TRAFFIC MANAGEMENT MEASURES ALSO REFLECTED IN THE LETTER:

1. BUS AND VEHICLE QUEUES SHALL BE ACCOMMODATED ON-SITE;
2. CLASSES SHALL NOT BEGIN EARLIER THAN 8:50 A.M. AND NOT END LATER THAN 4 P.M.;
3. PRIOR TO EACH SCHOOL YEAR, THE APPLICANT SHALL SEND A LETTER TO ALL PARENTS OF CHILDREN ENROLLED AT THE SCHOOL TO STRONGLY ENCOURAGE BUS RIDERSHIP AND TO ADVISE THEM NOT TO PARK ON NORTH OAK STREET AND TO PARK ONLY ON SCHOOL PROPERTY FOR SCHOOL RELATED TRIPS; AND
4. THE APPLICANT SHALL HOLD NO MORE THAN 10 EVENING SPECIAL EVENTS PER YEAR AT THE SCHOOL AND SHALL PROVIDE SHUTTLE BUS SERVICE FROM AN OFF-SITE LOCATION IN THE CITY OF FALLS CHURCH FOR PARENTS TO ATTEND ALL SUCH EVENTS.

THIS APPROVAL DOES NOT CONTEMPLATE ANY INCREASE IN THE INTENSITY OF THIS USE OR ANY BREACH OF THESE COMMITMENTS. CONSEQUENTLY, I FURTHER MOVE THAT NO FURTHER EXPANSION WILL BE PERMITTED WITHOUT A SUBSEQUENT 2232 OR OTHER REQUIRED ZONING APPROVAL.

Commissioner Migliaccio: Second.

Chairman Murphy: Second the motion. Okay, Mr. Migliaccio seconded the motion. Is there a discussion of the motion?

Commissioner Flanagan: Yes, Mr. Chairman.

Chairman Murphy: Yes, Mr. Flanagan.

Commissioner Flanagan: Yes, I – first of all I'd like to compliment Commissioner Ulfelder for the talent that he brought forward in coming up with a resolution that is itemized in the motion that tonight, which I've seen for the first time. But I will not be able to support the resolution and, for two reasons. First of all, my sympathies lie with the 33 percent of the citizens of Falls Church who would like to have their school within the attendance area rather than on the edge. And the reason why I say that is because I have good reason since in Mount Vernon we have the only school in Fairfax County that's not located in its attendance area. And that has had a detrimental effect upon the students who attend that school. They are 100-percent bused. None of them can walk to their school and so consequently, I'm working at the present time to see to it that, that school is relocated back within its attendance area. Secondly, I have – and I think that the 33 percent would be quickly joined with others were that pursued as having it relocated within the city. Second, I have seen no evidence put forth by anybody that the current – we had a

lot of people here testifying on Oak Street – that the traffic on there was terrible with the current population and I’ve seen nothing that says that adding students to the population will improve that in any way. I’ve seen no way – there’s nobody suggested how that stretch of roadway is going to be improved with this additional traffic. So there’s been, you know, encouraging students to go by bus rather than private car, but that’s encouraging. That doesn’t assure anything really. So, I think it’s rather weak in that regard so I will be, I’m not going to vote against this motion, but I am going to abstain.

Chairman Murphy: Further discussion? Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. This has been a difficult case for all concerned and I think we recognize that this is a very unique situation where we have a school site that’s owned by an adjacent jurisdiction within the County. There is a lot at stake for a lot of people depending on what we do. I think three of us were here 10 or 15 years ago when we did the last expansion of the school and I think I still remember how long it took to do that and how difficult and painful that was. I want to commend Commissioner Ulfelder for a very thorough and careful review and consideration of what do we do with a situation like this. I am going to support the motion, I want – I want to make a couple observations as well. I think the most problematic aspect of the application, at least as of now, is just the extent component of location, character and extent. But - and I think it’s a very close call - but I’ve satisfied myself that in this unique situation, we can view the extent of the application not as what was originally requested perhaps, but as more narrowly defined by what the applicant has settled on with these specific limitations or constraints on the number of activity – on the amount of activity. And to that extent, I think staff concurs with that assessment and I’m going to – I’m going to support that. It concerned me a year ago, very much, and I think I wasn’t the only one, that there was an apparent disconnect between the expectations of the applicant about what they could do on their property and our responsibility for review and recommendations about every site in Fairfax County no matter who the owner was. I think that given where we’ve come down on this, the site is probably maxed out. I think it would be very difficult to conceive of a situation where any more intensity would go on this site. And I think some of the Falls Church folks - the decision makers are listening tonight - I would suggest, this is just my own personal view, but I think it behooves the Falls Church decision makers to come up with a long range plan that anticipates the limitations of this site and that further expansion of this site is not something to be taken for granted. It’s not something that is going to be easy and it shouldn’t be expected that it can be done in a short time frame or – or – or just for the asking. I – I would point out, as well, a week from tomorrow we have an ordinance amendment coming up which would make this application, or ones like it – I shouldn’t say this application – but applications in this category and we haven’t decided what to do on that ordinance amendment, but they will become, if the ordinance amendment passes, a special exception rather than a 2232 so we wouldn’t be doing this anyway. We would be doing it as an, as an SE. And that may be a further reason to expect that – there’s got to be a long range plan for something else, somewhere else that doesn’t depend on this site being further intensified. I think we want to be good neighbors and we have to work together to do that and that – that takes, I think, some understanding that this site can only give so much. There is only so much you can put on Oak Street and I think we are probably at that point. But I am going to support the motion for tonight. Thank you.

Chairman Murphy: Ms. Hurley.

Commissioner Hurley: Sorry, the microphone won't go on. Let me use my neighbors here, they – okay I got it. I will try to be concise. I am disappointed that the right-in only was not investigated more thoroughly and it might not work but I would still wish it had been investigated more thoroughly. I also will support the motion tonight, but I wish that this letter dated yesterday from Mr. McGranahan had been a bit more specific in its commitments for specific points. It says that, “the school system – the school will not initiate a reduction in land area.” I'd like to say, “initiate or support a reduction in land area.” It says – that last point is, “All temporary classrooms and construction trailers shall be removed. No new trailers or modular or the like should be permitted.” Well, what about storage sheds? What about air condition – other things that might be built? I'd like to see more specific – I wish there had been more specifics. Third point says that, “There will be more than 10 special evening events.” What are special events? Okay, back to school night, obviously, but what about PTA meetings? What about other evening events? Just be more specific on special events. And the fourth one, on the community use, we actually – in Fairfax County – we do use our elementary schools for community use. The soccer fields are used, gyms are used, et cetera. I'd like to see – I wish there had been more specifics but we just received this letter today so I didn't have a chance to comment, but I will support the motion.

Chairman Murphy: Further discussion? Okay, all those in favor of the motion to approve 2232-D16-28, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I abstain.

Chairman Murphy: There is one abstention, Mr. Flanagan. Thank you very much.

The motion carried by a vote of 8-0-1. Commissioner Flanagan abstained. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. PCA 84-S-027-08/FDPA 84-S-027-06 – MACS RETAIL LLC
2. RZ/FDP 2016-DR-001/PCA 1999-HM-037/SEA 97-H-070-03 – NVR, INC.
3. SE 2016-BR-004 – MARCELA MUNOZ DBA MARCELA'S DAY CARE
4. RZ 2011-MV-033 – LORTON VALLEY III, INC.

5. PCA 86-C-054-02/CDPA 86-C-054/FDPA 86-C-054-02-01 – GENERAL DYNAMICS CORPORATION

This agenda was accepted without objection.

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PCA 84-S-027-08/ FDPA 84-S-027-06 - MACS RETAIL LLC –
Appls. to amend the proffers, conditions, conceptual and final development plan for RZ 84-S-027, previously approved for residential development and secondary commercial uses, to permit a service station quick-service food store and modification of open space requirements with an overall Floor Area Ratio (FAR) of 0.24. Located in the N.E. quadrant of the intersection of Westfields Blvd. and Sequoia Farms Dr., on approx. 37,561.79 sq. ft. of land zoned PDH-3, WS. Comp. Plan Rec: Retail and Other Uses. Tax Map 44-3 ((7)) B3 (part). SULLY DISTRICT. PUBLIC HEARING.

Sara Mariska, Esquire, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated August 23, 2016.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had two pending cases with Ms. Mariska's law firm in which there were attorneys representing adverse parties, but indicated that it would not affect his ability to participate in this case.

Carmen Bishop, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 84-S-027-08 and FDPA 84-S-027-06.

Ms. Mariska said that the applicant was requesting an update to an existing use in the Sully Station Shopping Center. She noted that the applicant had met with the community and had the support of the Sully District Council and the Western Fairfax County Citizens Association.

Chairman Murphy called for speakers from the audience and recited the rules for testimony.

Luis Mead, 14524 Smithwood Drive, Centreville, spoke in opposition to the application citing the traffic congestion in the area.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Ms. Mariska who noted that this was an existing gas station and that the applicant was requesting

changes to enhance its service to existing customers. She said that this request was expected to capture customers already on the road and not create additional traffic.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Keys-Gamarra for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed. Recognize Ms. Keys-Gamarra.

Commissioner Keys-Gamarra: Mr. Chairman, thank you. I request that the application, let me take my glasses off, Mr. Chairman I request that the applicant confirm for the record their agreement to - to the proposed final development plan amendment conditions dated August 30th, 2016, with the Condition 15 revised as follows: "Loading for the quick service food store will take place from the west side of the gas station canopy. All loading and fuel deliveries shall take place during off-peak hours, and shall not occur from 6:00 a.m. to 9:00 a.m. or from 4:00 p.m. to 9:00 p.m."

Chairman Murphy: Ms. Mariska.

Ms. Sara Mariska, Walsh, Colucci, Lubeley & Walsh, P.C., Applicants Attorney: We agree with those conditions.

Commissioner Keys-Gamarra: Thank you.

Chairman Murphy: Thank you very much.

Commissioner Keys-Gamarra: I also hope that will help that traffic he was talking about. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 84-S-027-08, SUBJECT TO THE PROFFERS DATED AUGUST 3RD, 2016.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 84-S-027-08, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Keys-Gamarra: Also, I MOVE THAT THE PLANNING COMMISSION APPROVAL FDPA 84-S-027-06, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED AUGUST 30TH, 2016, WITH THE MODIFICATION TO CONDITION 15 AS PREVIOUSLY STATED AND THE BOARD OF SUPERVISORS APPROVAL OF PCA 84-S-027-08.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion of the motion? All those in favor of the motion to approve FDPA 84-S-027-06, subject to the Board's approve the PCE – PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Keys-Gamarra: I also MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATIONS AND WAIVERS DATED SEPTEMBER 14TH, 2016, WHICH SHALL BE PART OF A – PART OF IT – MADE A PART OF THE RECORD OF THIS CASE.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motions carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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RZ/FDP 2016-DR-001 - NVR, INC. – Appls. to rezone from PDC to PDH-30 to permit residential development with an overall density of 25.7 dwelling units per acre (du/ac) including bonus density, and approval of a conceptual and final development plan. Located on the E. side of Centreville Rd. and N. side of Woodland Park Rd., on approx. 11.95 ac. of land. Comp. Plan Rec: Mixed-

Use (up to 0.7 FAR). Tax Maps 16-3 ((1)) 29D and 29E; and 16-3 ((11)) 7. (Concurrent with PCA 1999-HM-037 and SEA 97-H-070-03.) DRANESVILLE DISTRICT. PUBLIC HEARING.

PCA 1999-HM-037 - NVR, INC. – Appl. to amend the proffers for RZ 1999-HM-037 previously approved for office use to permit deletion of land area. Located on the E. side of Centreville Rd. and N. side of Woodland Park Rd., on approx. 11.95 ac. of land zoned PDC. Comp. Plan Rec: Mixed-Use (up to 0.7 FAR). Tax Maps 16-3 ((1)) 29D and 29E; and 16-3 ((11)) 7. (Concurrent with SEA 97-H-070-03 and RZ/FDP 2016-DR-001.) DRANESVILLE DISTRICT. PUBLIC HEARING.

SEA 97-H-070-03 - NVR, INC. – Appl. under Sects. 2-904 and 9-620 of the Zoning Ordinance to amend SE 97-H-070, previously approved for uses in a flood plain and waiver in certain sign regulations, to permit deletion of 11.95 ac. of land area. Located on the E. side of Centreville Rd. and N. side of Woodland Park Rd., on approx. 11.95 ac. of land currently zoned PDC. Tax Maps 16-3 ((1)) 29D and 29E; and 16-3 ((11)) 7. (Concurrent with RZ/FDP 2016-DR-001 and PCA 1999-HM-037.) DRANESVILLE DISTRICT. PUBLIC HEARING.

Elizabeth Baker, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated August 26, 2016.

Commissioner Hart disclosed that Hart and Horan, PC, had two cases with Ms. Baker's law firm in which there were attorney's representing adverse parties, but indicated that it would not affect his ability to participate in this case.

Laura Arseneau, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2016-DR-001, PCA 1999-HM-037 and SEA 97-H-070-03.

Commissioner Ulfelder announced that he would defer the decision only on these applications at the end of the public hearing.

Commissioner Ulfelder and Beth Iannetta, Department of Transportation (DOT), discussed the issue involving the Reston Road Fund; wherein, Ms. Iannetta explained that over the last several months an advisory group met to determine different funding options. The group has narrowed it down to three and were currently taking comments from the Board's Sub Transportation Committee along with public input.

Commissioner Ulfelder and Ms. Arseneau discussed the outstanding issues that were noted in the staff report; wherein, Ms. Arseneau explained that after extensive meetings between the Department of Public Works and Environmental Services and staff it was concluded that the applicant was satisfactorily addressing the stormwater concerns. With regards to the two-over-two units, Ms. Arseneau said that staff was concerned that the orientation of those units could cause a potential traffic hazard due to the close proximity to the intersection. She noted that it was recently changed by the applicant in order to increase driveway space; however, staff would prefer those units follow the curve of the street which would set them back further on the lot.

In response to questions from Commissioner Hart, Ms. Arseneau explained that staff was in favor of the waiver of the 200-foot minimum privacy yard for townhouses because it would be compensated by the open space areas, nearby pocket parks, a linear park with a pedestrian promenade and athletic fields being provided by the applicant.

Commissioner Hart commented that some of the townhouses that had garage dimensions of less than 20 feet did not have driveways. He asked staff where overflow parking would be available for those residents with a second vehicle. Ms. Arseneau said there would be visitor parking along with proposed street parking along the southern portion of Woodland Park Road. She deferred further explanation to Ms. Iannetta, who explained that the goal was to “road diet” the existing four lane undivided roadway on Woodland Park Road. She said staff was recommending it striped to a three lane road consisting of: one lane in each direction, a center turn lane, and a shared bike lane on one side of the road. Ms. Iannetta said that would create an area available for the applicant to seek permission from the Virginia Department of Transportation to stripe on-street parking along the southern part of Woodland Park Road.

Commissioner Sargeant and Michael Davis, DOT, discussed the proposed Transportation Demand Management Program (TDM). Mr. Davis explained that it would give financial incentives to property owners to use alternative means of transportation. He said that it was being included in development sites where they were in close proximity to a metro rail or a future metro rail station.

Ms. Baker said the proposed application offered 58 percent open space, a series of pedestrian trails, amphitheater, and public access easements on the promenade which would also provide a continuous path for pedestrians walking to the future metro station. She explained that the Road Fund Contribution had not been determined yet because the county was currently going through an analysis of the Road Fund Policy. Ms. Baker said the applicant would not object to modifying the two-over-two units in order to reorient them more appropriately along the roadway. With regards to the TDM program, she explained that it would typically take the form of providing a 50 dollar metro card with the initial lease and would be monitored by traffic counts for the area and follow-up surveys of residents regarding their use of the metro system, which would be done annually or bi-annually. Ms. Baker referred to Development Condition 2, Appendix 2 of the staff

report, which stated that the PDH-30 was governed by density per acre and GFA. She said it should be only governed by the density per acre and would like to work further with staff regarding this issue over the deferral period.

Commissioner Sargeant expressed concern over the lack of fencing around the pond and asked Ms. Baker about possible protection to keep children away from the water's edge. Ms. Baker explained that there would be plantings, such as shrubs, that would serve as a buffer between the trail and the water's edge. She agreed to review the situation with the applicant over the deferral period.

Commissioner Hart discussed the garages with Ms. Baker and questioned if there was room for trash and recycling cans, specifically in the townhouses that have no driveways, and suggested that the applicant consider adding a small area in the garage to store them.

Following up on Commissioner Sargeant's earlier comments, Commissioner Flanagan asked staff if there were regulations that pertained to access to ponds. William Mayland, ZED, DPZ, noted that the pond was an existing water feature that did not currently have any limitations placed on it. He added that he was not aware of any regulations that would require fencing around the pond but would check further into the situation over the deferral period.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Ulfelder for action on this item.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed. Recognize Mr. Ulfelder, please.

Commissioner Ulfelder: I'm not sure I recognize myself right now. I MOVE, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA 1999-HM-037, SEA 97-H-070-03, AND RZ/FDP 2016-DR-001 TO A DATE CERTAIN OF OCTOBER 26TH, is that possible? Okay, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to defer decision on these applications to a date certain of October 26th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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SE 2016-BR-004 - MARCELA MUNOZ DBA MARCELA'S DAY CARE – Appl. under Sects. 6-105, 6-106 and 8-305 of the Zoning Ordinance to permit a home child care facility for up to 12 children. Located at 5400 Donnelly Ct., Springfield, VA 22151, on approx. 2,310 sq. ft. of land zoned PDH-3. Tax Map 79-1 ((8)) 66. BRADDOCK DISTRICT. PUBLIC HEARING

Marcela Munoz, Applicant, reaffirmed the affidavit dated March 12, 2016.

There were no disclosures by Commission members.

Commissioner Hurley asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hurley for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Without objection, we'll close the public hearing and recognize Ms. Hurley.

Commissioner Hurley: While we have the applicant present, could you confirm for the record agreement with the development conditions dated August 31st, 2016?

Marcela Munoz, Marcela's Day Care, Applicant: Yes.

Commissioner Hurley: You understand the development conditions? So you – you have to do that.

Ms. Munoz: Yes.

Commissioner Hurley: Thank you. Then, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2016-BR-04 (sic) BY MARCELA MUNOZ, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED AUGUST 31, 2016.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors to approve SE 2016-BR-004, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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RZ 2011-MV-033 - LORTON VALLEY III, LLC – Appl. to rezone from R-1 to R-5 to permit residential development with a total density of 1.36 dwelling units per acre (du/ac). Located on the W. side of I-95, directly N. and S. of Dixon St., on approx. 38.37 ac. of land. Comp. Plan Rec: Residential, 1-2 du/ac. Tax Maps 107-4 ((1)) 83, 84, 98, and 98A and a portion of Sanger St. and Dixon St. public rights-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Sanger St. and Dixon St. to proceed under Section 15.2-2272 (2) of the Code of Virginia.) MOUNT VERNON. PUBLIC HEARING.

David Gill, Esquire, Applicant’s Agent, McGuireWoods LLP, reaffirmed the affidavit dated August 10, 2016.

Commissioner Sargeant disclosed that one person listed on the affidavit had contributed to his campaign for Board of Supervisor in 2015. He said that since it was beyond the twelve month period it would not affect his ability to participate in this case.

Carmen Bishop, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application RZ 2011-MV-033.

Commissioner Flanagan asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that the presentation by the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Flanagan for action on this case.

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(Start Verbatim Transcript)

Commissioner Flanagan: Yes, thank you Mr. Chairman. On tonight's agenda, item RZ 2011-MV-033, has been through many iterations since 2011, but David Gill, the agent, kept doggedly improving until I am pleased to report that the South County Federation and its land use committee unanimously recommended adoption. A copy of that resolution, by the way, has been passed out to everybody here and I'd like to ask that it be a part of the record. I am therefore, Mr. Chairman, happy to MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-MV-033, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 18, 2016.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2011-MV-033, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: And I'd like to have the applicant come up to the - the lectern and confirm the - their approval of the proffers dated August 18, 2016.

Chairman Murphy: We just do the development conditions.

Commissioner Hart: Yeah, it doesn't have to do it on proffers.

Chairman Murphy: It doesn't have development conditions.

Commissioner Flanagan: The development conditions, I'm sorry, okay, yeah.

Commissioner Hart: There aren't any.

Chairman Murphy: There aren't any.

Commissioner Hart: There aren't any.

Chairman Murphy: It's a rezoning.

Commissioner Flanagan: There aren't any?

Commissioner Hart: No.

Commissioner Flanagan: I thought they were the proffers they had to be in concurrent.

Commissioner Hart: No.

Commissioner Flanagan: Okay.

Chairman Murphy: Okay?

Commissioner Flanagan: You can remain seated.

Chairman Murphy: There are a couple more motions on modifications and waiver.

Commissioner Flanagan: Right, yes. I have two motions, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE 200-FOOT MINIMUM DISTANCE REQUIRED BETWEEN RESIDENTIAL BUILDINGS AND INTERSTATE RIGHT-OF-WAY PURSUANT TO PARAGRAPH 1 OF SECTION 2-414 OF THE ZONING ORDINANCE, TO PERMIT A MINIMUM DISTANCE OF APPROXIMATELY 60 FEET AS SHOWN ON THE GENERALIZED DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I finally MOVE THAT THE PLANNING COMMISSION...

Chairman Murphy: Not a very enthusiastic vote here, go ahead.

Commissioner Sargeant: Let's do that again.

Chairman Murphy: We'll do that again, go ahead.

Commissioner Flanagan: I finally MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF AN INCREASE IN HEIGHT FOR A NOISE BARRIER PURSUANT TO PARAGRAPH 3F OF SECTION 10-104 OF THE ZONING ORDINANCE.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Much better. Opposed? Motion carries.

The motions carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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PCA 86-C-054-02/ CDPA 86-C-054/ FDPA 86-C-054-02-01 - GENERAL DYNAMICS CORPORATION – Appls. to amend the proffers, conceptual, and final development plan for RZ 86-C-054, previously approved for office use, to permit office use and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.20. Located on the S. side of Sunset Hills Rd., N. of Dulles Airport Access Rd. and W. of Hunter Mill Rd., on approx. 21.69 ac. of land zoned PDC. Comp. Plan Rec: Office. Tax Map 18-3 ((1)) 11 B1. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mark C. Looney, Esquire, Applicant's Agent, Cooley LLP, reaffirmed the affidavit dated September 1, 2016.

There were no disclosures by Commission members.

Mary Ann Tsai, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 86-C-054-02/ CDPA 86-C-054 and FDPA 86-C-054-02-01.

Mr. Looney said that this proposal would be the headquarters location for the applicant who currently occupied space in a multi-tenant building in Fairfax County. He said that the need to

relocate was due to security issues which required the applicant to solely occupy their facility. Mr. Looney compared this proposal to the one that was currently approved for this site, noting the following improvements: the proposed building was turned on the lot in order to have the least amount of building surface facing Sunset Hills Road, two-thirds of the parking would be beneath the building, and 84 percent was preserved as open space. He said that the applicant has offered to proffer for entrance improvements and a multi-purpose trail along the frontage of the property, 1.5 million dollars towards the future widening of Sunset Hills Road, construction of a traffic signal at Business Center Drive, donation to Park Authority towards the recovery of artifacts from Quartz Quarry for preservation and display, and a contribution to the Fairfax County Fire Department for fire preemption signals.

Commissioner Ulfelder asked Mr. Looney to explain in further detail the proposed security fence. Mr. Looney said that the fence would be approximately 6-8 foot high, with the potential for it going higher based on grade changes in some portions, and would encompass the entire property. He noted that the fence would be more decorative and aesthetically pleasing along Sunset Hills Road.

Commissioner Ulfelder and Mr. Looney discussed the proposed parking and the possibility of future expansion, either due to hiring additional employees or another future user reconfiguring the building to a higher density. Mr. Looney explained that this development was designed for a unique user and the building was limited to 190 thousand square feet; therefore, if the building were reconfigured for smaller office spaces to allow for additional employees the applicant or any future user would be required to obtain approval for any significant change to the parking, as stated in Proffer 9B.

Chairman Murphy called for speakers from the audience and recited the rules for testimony.

Rachel Richelieu, 10906 Sunset Hills Road, Reston, spoke in opposition to the application citing a detrimental effect on her home and the surrounding properties due to the location of the driveway entrance. She said that the proposed location was directly across from her driveway entrance which also had a blind spot due to a dip in the road and expressed concern for the safety of her family. In addition, Ms. Richelieu also questioned whether there would be a vehicle stacking issue due to security issues which required employees to badge in and out of the property.

Commissioner de la Fe asked Ms. Richelieu if she was aware of the approved plan, which was a denser use than the proposed application, when she purchased her home. Ms. Richelieu affirmed that she was but said that due to the significant amount of unused office space in the area she believed that this property would be developed at a future time.

Faisal Jafree, 10920 Sunset Hills Road, Reston, spoke about his concern over additional traffic generated by this proposal. He noted that currently, during the evening rush hour, Sunset Hills Road experienced a large amount of traffic which resulted in traffic backing up along the roadway. Mr. Jafree asked what the applicant proposed for traffic management on Sunset Hills Road. Chairman Murphy advised Mr. Jafree that the applicant would address his question during the rebuttal.

Mr. Hassan, unknown address, Reston, said that the location of the development's driveway could have a negative impact on his property value citing the already existing traffic on Sunset Hills Road. In addition, he questioned how visible the building would be to the surrounding properties and asked if a study was available regarding the amount of trees to be removed and how the wildlife would be impacted.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Looney who said that this proposal was a significant reduction over what was presently approved on this site. He said that the applicant's proposed development reduced the square footage from 357,000 thousand to 190,000 thousand; thereby, reducing vehicle trips by 200 during the a.m. and p.m. peak times. In addition, Mr. Looney said that the applicant would install a traffic signal at Business Center Drive. In order to reduce visual impact of the building, Mr. Looney said the applicant would have a berm on Dressage Drive, along with tree preservation areas. He said the applicant had met with the Equestrian Park Homeowners Association to brief them on the design along with outreach individual residents as well. Mr. Looney said the applicant had committed to make improvements to the Richelieu's property in order to mitigate the impact of the development and would also be addressing the sight distance issue on Sunset Hills Road at the driveway entrance.

Commissioner Migliaccio and Mr. Looney discussed how the applicant would manage the construction traffic into the site during the development phase; wherein, Mr. Looney explained that the applicant was currently meeting with the Department of Public Works and Environmental Services (DPWES) to determine how the site plan would depict the construction details. He said the principal entrance for construction traffic would be at the proposed main entrance with the possibility of other entrances along Sunset Hills Road. Mr. Looney said the applicant's main objective was to preserve vegetation which would determine the construction movements and would continue to work with DPWES and the Virginia Department of Transportation to make that determination. In addition, he agreed to keep the Richelieu's informed of the situation as it progresses.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed; Mr. de la Fe.

Commissioner de la Fe: Thank you Mr. Chairman. I appreciate the neighbors that came in and - to address the, their concerns which mainly have to do with increased traffic and other impacts. The way I look at it and the - the way the land use committee and the P and Z and others have looked at it is that given what is currently approved to be built and what is here proposed, this is a much better plan in terms of traffic, preservation, trees, the vegetation and everything else. So, it - it's a preferable application. Certainly for those of us who have lived in the area for a long time. It is certainly a heck of a lot better than the parking - park and ride building that was originally proposed even before the current, currently approved plan that was taken off the plan when the Dream Dove Hunter Mill Metro Station disappeared from the plans. So this is, I - I believe a good application that deserves a recommendation of approval and I do note that the Board of Supervisors is to consider this in September 20th, so next week, so I would like to move on this tonight and I would request the applicant to confirm for the record that they, he agrees to the final development plan amendment condition dated August 31st...

Mr. Mark Looney, Cooley LLP, Applicants Attorney: We do.

Commissioner de la Fe: ...2016, and that you will continue to work with the Park Authority on the architectural - not architectural, archeological issues that, I mean you - you've proffered to - to address but I want to make sure that is on the record

Mr. Looney: Commissioner de la Fe, we agree with the condition and we will continue to work with Park Authority on the archeological analysis.

Commissioner de la Fe: Okay, thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 86-C-054-02 AND CDPA 86-C-054, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 30TH, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 86-C-054-02 and CDPA 86-C-054, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT PLANNING COMMISSION APPROVE FDPA 86-C-054-02-01, SUBJECT TO THE PROPOSED FDPA CONDITION DATED AUGUST 31ST, 2016, AND THE BOARD OF SUPERVISORS APPROVAL OF PCA 86-C-054-02.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to approve FDPA 86-C-054-02-01, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING MODIFICATIONS:

- MODIFICATION OF PARAGRAPH 3 OF SECTION 10-104 OF THE ZONING ORDINANCE TO PERMIT AN INCREASE IN FENCE HEIGHT UP TO 10 FEET.
- MODIFICATION OF PARAGRAPH 15 OF SECTION 11-202 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION IN THE NUMBER OF REQUIRED LOADING SPACES FROM FIVE TO TWO SPACES; AND
- A MODIFICATION OF SECTION 13-304 OF THE ZONING ORDINANCE TO PERMIT A SECURITY FENCE IN LIEU OF THE BARRIER REQUIREMENT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And MR. CHAIRMAN, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL AND CONCURRENCE WITH THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES DETERMINATION THAT PURSUANT TO PARAGRAPH 1, SECTION 11-101 OF THE ZONING ORDINANCE 250 PARKING SPACES FOR BOTH PHASES 1 AND 2 OF THE DEVELOPMENT ARE ADEQUATE, SUBJECT TO

THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 30TH,
2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say
aye.

Commissioners: Aye.

Chairman Murphy: Motion carries.

The motions carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were
absent from the meeting.

(End Verbatim Transcript)

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The meeting was adjourned at 10:47 p.m.
Peter F. Murphy, Chairman
James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Teresa M. Wang

Approved on: March 29, 2017



John W. Cooper, Clerk
Fairfax County Planning Commission